

MEETINGS TO DATE 21
NO. OF REGULARS 13
NO. OF SPECIALS 8

JULY 20, 1992

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 20th day of July 1992, at 6:45 P.M. and there were

PRESENT: LUCIAN J. GRECO, SUPERVISOR
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
PATRICK C. POKORSKI, COUNCILMAN
THOMAS H. VAN NORTWICK, COUNCILMAN
GEORGE E. O'NEIL, PLANNING BOARD CHAIRMAN
JOHN P. GOBER, PLANNING BOARD MEMBER
JOHNSTON N. REID, JR., PLANNING BOARD MEMBER
HENRY R. SCHENK, PLANNING BOARD MEMBER
DONNA G. STEMPIAK, PLANNING BOARD MEMBER
MELVIN H. SZYMANSKI, PLANNING BOARD MEMBER

ABSENT: MILDRED F. WHITTAKER, PLANNING BOARD MEMBER

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
JOSEPH F. REINA, ATTORNEY
ROBERT L. LANEY, BUILDING INSPECTOR
ROBERT H. LABENSKI, TOWN ENGINEER

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of one action.

**IN THE MATTER OF THE SEQR REVIEW OF THE
PROPOSED DEMOLITION AND CONSTRUCTION OF HOTEL
(COMFORT INN)**

The joint board then proceeded with the Environmental Assessment on the proposed demolition and construction of a hotel (Comfort Inn) matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY PLANNING BOARD MEMBER STEMPIAK,
WHO MOVED ITS ADOPTION, SECONDED BY
PLANNING BOARD MEMBER REID, TO WIT:

RESOLVED, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:
PROPOSED DEMOLITION AND CONSTRUCTION OF HOTEL
(COMFORT INN)**

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NEGATIVE DECLARATION

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact, the lead agency, now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Joseph F. Reina, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 1.07 acres.

The location of the premises being reviewed is on the east side of Transit Road near entrance to the New York State Thruway, Lancaster, New York.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.12.
- B. The action will receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following:
 - C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems. Small to moderate affect upon air quality and noise during demolition and construction only.
 - C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.
No adverse effects noted
 - C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.
No adverse effects noted
 - C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.
No adverse effects noted
 - C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.
No adverse effects noted

32X1

- C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.
No adverse effects noted
- C.7 Other impacts (including changes in use of either quantity or type of energy. Be it noted that this review was completed without state and county response.
- D. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s
Lucian J. Greco, Supervisor
Town of Lancaster

July 20, 1992

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and
and,

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GRECO	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
PLANNING BOARD CHAIR. O'NEIL	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER REID	VOTED YES
PLANNING BOARD HENRY SCHENK	VOTED YES
PLANNING BOARD MEMBER STEPNIAK	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	WAS ABSENT

The Notice of Determination was thereupon unanimously adopted.

July 20, 1992

ADJOURNMENT:

ON MOTION DULY MADE, SECONDED AND CARRIED, this meeting was adjourned at 8:30 P.M.

Robert P. Thill
Robert P. Thill, Town Clerk

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MEETINGS TO DATE 22
NO. OF REGULARS 14
NO. OF SPECIALS 8

LANCASTER, NEW YORK
JULY 20, 1992

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 20th day of July 1992 at 8:00 P.M. and there were

PRESENT: ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
PATRICK C. PORORSKI, COUNCILMAN
THOMAS H. VAN NORTWICK, COUNCILMAN
LUCIAN J. GRECO, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
ROBERT H. LABENSKI, TOWN ENGINEER
JOSEPH F. REINA, TOWN ATTORNEY
ROBERT L. LANEY, BUILDING INSPECTOR
THOMAS E. FOWLER, CHIEF OF POLICE

TABLED RESOLUTIONS:

Greco/Pokorski Petition State Legislature - Home Rule Law Re: Town
Assessor - NO ACTION. (Tabled 2/13/92)

PRESSENTATION OF FILED RESOLUTIONS BY COUNCILMAN:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town
Board held on July 6, 1992, and the Joint Meeting of the Town Board and the
Planning Board held on July 15, 1992, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

July 20, 1992

File: R.MIN (P1)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
POKORSKI, TO WIT:

WHEREAS, a Public Hearing was held on the 1st day of June, 1992, on the petition of Pine Hill Concrete Corp., the owner of a parcel of land on the west side of Pavement Road, south of Walden Avenue in the Town of Lancaster, for the purpose of rezoning the property from an SGA - Sand, Gravel, Aggregates District to an LI-Light Industrial District, and

WHEREAS, a Notice of said Public Hearing has been duly published and posted, and

WHEREAS, the Planning Board of the Town of Lancaster has recommended the rezone of the hereinafter described parcel of real property, and

WHEREAS, in accordance with Section 239(m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed such application for rezone and has no objection with respect thereto;

NOW, THEREFORE, BE IT
RESOLVED, as follows:

1. That the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed so that the real property hereinafter described is changed from an SGA - Sand, Gravel, Aggregates District to an LI-Light Industrial District;

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster County of Erie and State of New York, known and distinguished as the north parts of Lots Numbers 7 and 9, Section 5, Township 11, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING on the west line of Pavement Road distant 300 feet from the intersection of the west line of Pavement Road and the south line of Walden Avenue; thence south along the west line of Pavement Road to the New York Central Railroad; thence westerly along the north line of the New York Central Railroad to a point, which point is located 200 ± feet west of the east line of Lot 9; thence north to a point, which point is located 300± feet south of the south line of Walden Avenue; thence east to the place of beginning.

The description contained herein is for Town of Lancaster Zoning Map purposes only and is meant to describe a parcel of land presently zoned SGA-Sand, Gravel, Aggregates on the official Town of Lancaster Zoning Map accepted May 15, 1984.

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2. That said Ordinance Amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 20th day of July, 1992;

3. That a certified copy thereof be published in the Lancaster Bee on or before the 23rd day of July, 1992;

4. That Affidavits of Publication be filed with the Town Clerk; and

5. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN POKORSKI	VOTED	YES
COUNCILMAN VAN NORTWICK	VOTED	YES
SUPERVISOR GRECO	VOTED	YES

July 20, 1992

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LEGAL NOTICE
NOTICE OF ADOPTION OF AMENDMENT
ZONING ORDINANCE, TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that the Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of said Town is hereby changed so that the real property hereinafter described is changed from an SGA-sand, Gravel, Aggregates to an LI-Light Industrial District:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York being parts of Lots Nos. 7 and 9, Section 5, Township 11, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING on the west line of Pavement Road distant 300 feet from the intersection of the west line of Pavement Road and the south line of Walden Avenue; thence south along the west line of Pavement Road to the New York Central Railroad; thence westerly along the north line of the New York Central Railroad to a point, which point is located 200 ± feet west of the east line of Lot 9; thence north to a point, which point is located 300 ± feet south of the south line of Walden Avenue; thence east to the place of beginning.

The description contained herein is for Town of Lancaster Zoning Map purposes only, and is meant to describe a parcel of land presently zoned SGA-Sand, Gravel, Aggregates on the official Town of Lancaster Zoning Map accepted May 15, 1984.

July 20, 1992

STATE OF NEW YORK:
COUNTY OF ERIE : ss:
TOWN OF LANCASTER:

THIS IS TO CERTIFY, that I, ROBERT P. THILL, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of NOTICE OF AMENDMENT TO ZONING MAP with the original thereof filed in my office at Lancaster, New York, on the 20th day of July, 1992, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, this 20th day of July, 1992.

Robert P. Thill
Town Clerk and Registrar of Vital Statistics

File: R.App.Rez.Pine.Hill.

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THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
VAN NORTWICK, TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster has previously
filed with the Erie County Department of Personnel Form PO-17 "New Positions
Duties Statement" for the purpose of obtaining the appropriate service title
for the anticipated new position of Laborer with the Highway Department of the
Town of Lancaster, and

WHEREAS, the Erie County Department of Personnel has indicated that
the appropriate title for this position should be Laborer,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
creates the position of Laborer in the Highway Department of the Town of
Lancaster. and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is
hereby authorized to complete and execute Section 8 of Form PO-17 (New
Position Duties Statement) from the Erie County Department of Personnel,
indicating that the position of Laborer in the Highway Department of the Town
of Lancaster has been created.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

July 20, 1992

File: R.PERS.CREATE (P5)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
POKORSKI, TO WIT:

WHEREAS, a public hearing was held on the 6th day of July, 1992, on the Petition of LPRC Unlimited, Inc., the owner of a parcel of land on the east side of Harris Hill Road, south of Wehrle Drive in the Town of Lancaster, for the purpose of rezoning the property from an R2-Residential District Two to a GB-General Business District, and

WHEREAS, a Notice of said Public Hearing has been duly published and posted, and

WHEREAS, in accordance with Section 239 (m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed such application for rezone and has no objection with respect thereto;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed so that the real property hereinafter described is changed from an R2-Residential District Two to a GB-General Business District:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie, State of New York, being part of Lot No. 4, Section 12, Township 11, Range 6 of the Holland Land Company's Survey, described as follows:

BEGINNING at a point in the center line of Harris Hill Road distant Three Hundred Thirty-five and Twenty-eight Hundredths (335.28) feet southerly from the north line of Lot No. 4, thence southerly along the center line of Harris Hill Road, One Hundred Sixty-seven and thirty-one hundredths (167.31) feet to a point; thence easterly parallel with the north line of Lot No. 4, Nine Hundred Fifty and Fifty-six hundredths feet (950.56) to a point; thence northerly parallel with the easterly line of Lot No. 4, One Hundred Sixty-seven and Thirty-one hundredths (167.31) feet; thence westerly parallel with the north line of Lot No. 4, Nine Hundred Fifty and twenty hundredths (950.20) feet to the center line of Harris Hill Road and the point of beginning.

This describes property locally known as 348 Harris Hill Road, Lancaster, New York.

32X1

2. That said Ordinance Amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 20th day of July, 1992;

3. That a certified copy thereof be published in the Lancaster Bee on or before the 23rd day of July, 1992;

4. That Affidavits of Publication be filed with the Town Clerk;
and

5. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

July 20, 1992

32X1

LEGAL NOTICE
NOTICE OF ADOPTION OF AMENDMENT
ZONING ORDINANCE, TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that the Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of said Town is hereby changed so that the real property hereinafter described is changed from an R2-Residential District Two, to GB-General Business District:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie, State of New York, being part of Lot No. 4, Section 12, Township 11, Range 6 of the Holland Land Company's Survey, described as follows:

BEGINNING at a point in the center line of Harris Hill Road distant Three Hundred Thirty-five and Twenty-eight Hundredths (335.28) feet southerly from the north line of Lot No. 4; thence southerly along the center line of Harris Hill Road, One Hundred Sixty-seven and thirty-one hundredths (167.31) feet to a point; thence easterly parallel with the north line of Lot No. 4, Nine Hundred Fifty and Fifty-six hundredths feet (950.56) to a point; thence northerly parallel with the easterly line of Lot No. 4, One Hundred Sixty-seven and Thirty-one hundredths (167.31) feet; thence westerly parallel with the north line of Lot No. 4, Nine Hundred Fifty and twenty hundredths (950.20) feet to the center line of Harris Hill Road and the point of beginning.

This describes property locally known as 348 Harris Hill Road, Lancaster, New York.

July 20, 1992

STATE OF NEW YORK:
COUNTY OF ERIE : SS:
TOWN OF LANCASTER:

THIS IS TO CERTIFY, that I, ROBERT P. THILL, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of NOTICE OF AMENDMENT TO ZONING MAP with the original thereof filed in my office at Lancaster, New York, on the 20th day of July, 1992, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, this 20th day of July, 1992.

Town Clerk and Registrar of Vital Statistics

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, M. Falgiano Construction Co., Inc, 95 Leslie Street,
Buffalo, New York 14211, the contractor for the Walden Pond Park, Phase 2B
Project, has submitted a Change Order request in the amount of \$7,907.50 to
the Town Board for its approval, and

WHEREAS, Donald Gallo, the Town Consulting Engineer for this
project, by letter dated June 30, 1992, has recommended that this change order
be authorized,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
approves Change Order No. 1 to M. Falgiano Co., Inc. with respect to the
Walden Pond Park, Phase 2B Project, according to the following description of
change to contract:

Description of Change Order No. 1:

- | | |
|---|----------|
| 1. Extension of contract time an additional fifteen
(15) consecutive calendar days. Revised completion
date from May 15, 1992 to May 30, 1992. | \$0.00 |
| 2. Reduce picnic table length from twelve (12') feet
to ten (10') feet, the lump sum of: | 700.00 |
| 3. Construct seven (7) additional picnic tables, ten
(10') feet long, the lump sum of: | 100.00 |
| 4. Installation of approximately three hundred and
fifty (350) lf) linear feet of underground
drainage, the lump sum of: | 3,937.00 |
| 5. Add one (1) additional cast iron grate to the
bottom of seven (7) barbecue grates, the lump
sum of: | 630.00 |
| 6. Removal and replacement of twenty-five (25 sq)
square feet of 4" thick concrete sidewalk on south
side of rest room facility, the lump sum of: | 150.00 |
| 7. Revisions/adjustments to plaque | 390.00 |

NET INCREASE FOR CHANGE ORDER NO. 1 \$7,907.50

and,

BE IT FURTHER

RESOLVED, that the Supervisor be and is hereby authorized to execute
this change order on behalf of the Town of Lancaster.

25 X

32 X

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN FORORSKI	VOTED	YES
COUNCILMAN VAN NORTWICK	VOTED	YES
SUPERVISOR GRECO	VOTED	YES

July 20, 1992

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, F.J.WAILAND ASSOCIATES, INC.. has submitted a site plan for the demolition of an existing Motel and residence and the construction of a new 50-unit Two Level Hotel and support parking (Comfort Inn) located at 6623 Transit Road in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan as submitted and recommended approval of same, and recommended approval, by letter dated June 10, 1992;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan as submitted by F.J.WAILAND ASSOCIATES, INC. for the demolition of an existing motel and residence and the construction of a new 50-unit Hotel, together with support parking (Comfort Inn), located at 6623 Transit Road, in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

July 20, 1992

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY SUPERVISOR
GRECO , TO WIT:

WHEREAS, the Tax Receiver of the Town of Lancaster has the responsibility for the efficient and effective collection of taxes for the County of Erie and the Town of Lancaster, and

WHEREAS, the Tax Receiver and many of her fellow receivers have received requests for making partial payments on current taxes because of economic pressures on the taxpayer, and

WHEREAS, on June 3, 1992, the Erie County Association of Receivers and Collectors unanimously adopted a proposal allowing for partial payments, and

WHEREAS, on June 17, 1992, the New York State Association of Tax Receivers and Collectors have unanimously endorsed the addition of Erie County to the list of counties which may opt to allow partial payments, and

WHEREAS, on July 16, 1992, the Erie County Legislature unanimously passed a resolution directing the County Attorney's Office to draft the necessary home rule message calling on the State to grant permission for the taxpayers of Erie County to make partial payments for their current real property tax bills, and

WHEREAS, payment of escalating Real Property Taxes in one lump sum can often times be burdensome upon property owners. Partial payment of taxes would alleviate this burden by giving the taxpayer an option to pay their property taxes in one lump sum of 50% or greater of the current balances up to four (4) installments in the Receivers' office, and

WHEREAS, this proposal hereby stated requests no change in the due dates of Real Property taxes, nor any change in the penalty structure as set forth under the Erie County Tax Act, but only for the Receiver of Taxes to be able to accept partial payment as outlined, and

WHEREAS, this proposal is permissive with each taxing unit, they being the County of Erie, School Districts, and Towns and Cities of Erie County;

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NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster does concur with and support the proposal and acknowledges the recommendations of the Erie County Tax Receivers and Collectors; New York State Association of Tax Receivers and the Erie County Legislature, and we urge the County Executive to encourage the State Legislature and the Governor of the State of New York to approve the requested legislation at the earliest possible moment, and

2. That the Town Clerk be and is hereby directed to forward certified copies of this resolution to the Clerk of the Erie County Legislature; Governor Mario Cuomo; Senator Dale Volker and Assemblyman Vincent J. Graber.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

July 20, 1992

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
POKORSKI , TO WIT:

WHEREAS, MARKAR PRODUCTS, INC. has submitted a site plan for the construction of Manufacturing and Office Building to be located at 68 Ward Road in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan as submitted and recommended approval of same, and recommended approval, by letter dated June 10, 1992, subject to certain conditions;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan as submitted by MARKAR PRODUCTS, INC., prepared by Bernard & DeSimone Architects, dated May 22, 1992, for the construction of a Manufacturing and Office Building to be located at 68 Ward Road in the Town of Lancaster, subject to the following conditions:

1. Proper delineation of the entrance to the property from Ward Road, and
2. Receipt of Easement providing access to Ward Road.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

July 20, 1992

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA, TO WIT:

WHEREAS, Mr. Matthew E. Dombrowski, applied for a building permit to erect an eight unit townhouse on premises known as 5859 Broadway, within the Town of Lancaster, and

WHEREAS, said application being Building Permit No. 207 of the year 1989 was approved by Town Board resolution on May 15, 1989, and

WHEREAS, Town Edge Development, by letter dated July 16, 1992, has requested a refund of \$3360.00, which represents the full amount of this building permit application fee, due to the fact that Matthew E. Dombrowski did not proceed with the erection of the proposed eight unit townhouse and Town Edge Development purchased this property and specific rights to the proposed townhouse and building permit.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk of the Town of Lancaster be and is hereby authorized to prepare a voucher and refund to Town Edge Development Group Inc., 8680 Main Street, Williamsville, New York 14221, the sum of \$3360.00 representing the total fee collected for Building Permit No 207 of 1989.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

July 20, 1992

File: R.BLDG (P6)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
POKORSKI, TO WIT:

WHEREAS, there exists in the Town of Lancaster a Disaster Preparedness Office presently headed by George MacPeck, Disaster Coordinator, whose purpose is to prevent or mitigate disasters and their effects, to provide for effective response, and to facilitate response, and

WHEREAS, there also exists in the Town of Lancaster a Hazardous Materials Office, presently headed by Lawrence Blair, Hazardous Materials Team Leader, whose purpose is to respond to any disasters and/or incidents involving hazardous wastes, and

WHEREAS, the Town of Lancaster maintains separate budgets for each of these two offices, and

WHEREAS, it is in the judgment of the Town Board that efficiency of operation and the reduction of unnecessary expense will result with the merger of these two offices;

NOW, THEREFORE, BE IT
RESOLVED, as follows:

1. The Disaster Preparedness Office and the Hazardous Materials Team Office are hereby merged, and shall now be known as the Disaster Preparedness Office; and
2. George MacPeck, Disaster Response Coordinator is hereby appointed to direct and supervise the operations of the Disaster Preparedness Office; and
3. Lawrence Blair shall continue as Hazardous Materials Team Leader.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

July 20, 1992

32x1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK, TO WIT:

WHEREAS, the Appraiser in the Assessor's Office of the Town of Lancaster, by letter dated July 9, 1992 has requested authorization to attend an Assessors' Training Seminar sponsored by the Association of Towns, State of New York, for the period August 3, 1992 through August 7, 1992, at the State University of New York at Geneseo,

NOW, THEREFORE, BE IT

RESOLVED, that JOSEPH L. MACIEJWSKI, Appraiser in the Office of the Town Assessor of the Town of Lancaster be and is hereby authorized to attend an Assessors' Training Seminar sponsored by the Association of Towns, State of New York, for the period August 3, 1992 through August 7, 1992, at the State University of New York at Geneseo, and

BE IT FURTHER

RESOLVED, that expense reimbursement be and is hereby granted in an amount not to exceed \$240.00, plus mileage, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

July 20, 1992

File: R.SEM.MTGS (P1)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN PORORSKI, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster finds that the reduction, reuse and recycling of solid waste are important public concerns and will aid in the protection and preservation of the environment, and

WHEREAS, the New York State Solid Waste Management Act of 1988 mandates passage of a source separation law by each municipality within New York State by September 1, 1992, which shall require that solid wastes which have been left for collection or which are delivered by the generator of such solid wastes to a solid waste management facility shall be separated into recyclable, reusable or other components for which economic markets for alternate uses exist, and

WHEREAS, Section 10 of the Municipal Home Rule Law of the State of New York provides for the adoption and enactment of local laws, and

WHEREAS, after review and consideration, the Town Board of the Town of Lancaster deems it in the public interest to enact a proposed local law, entitled: "Local Law No. 3 of the Year 1992 - Mandatory Recycling", further designated as Chapter 33 of the Code of the Town of Lancaster, which reads as follows:

32x1

LOCAL LAW
CHAPTER 33
MANDATORY RECYCLING
Proposed
LOCAL LAW NO. 3
1992

A LOCAL LAW TO PROVIDE FOR THE RECYCLING OF SOLID WASTE IN THE TOWN OF LANCASTER, IN ACCORDANCE WITH THE SOLID WASTE MANAGEMENT ACT OF 1988, STATE OF NEW YORK.

- 33.1 Title
- 33.2 Purpose
- 33.3 Definitions
- 33.4 Duty of Owners, and/or Occupants
- 33.5 Duty of Authorized Collector & Licensed Private Collectors
- 33.6 Licensing
- 33.7 Unlawful Activities & Penalties
- 33.8 Code Enforcement Officer
- 33.9 Rules & Regulations
- 33.10 Severability
- 33.11 Effective Date

Be it enacted by the Town Board of the Town of Lancaster, as follows:

33.1 Title.

This Local Law shall be known as Local Law No. 3 of the Year 1992, Mandatory Recycling, of the Town of Lancaster.

33.2 Purpose.

This Local Law is enacted in accordance with the New York State Solid Waste Management Act of 1988, for the purpose of reducing, reusing and recycling of solid wastes which will aid in the protection and preservation of the environment, and assist in the conservation of recyclable materials. The Town Board of the Town of Lancaster finds that the separation and collection of recyclable materials generated from residential, commercial, and institutional properties will reduce the total amount of solid wastes presently generated, will reduce the need for landfills, and will conserve the capacity of existing landfills.

2X1

33.3 Definitions.

AUTHORIZED COLLECTOR - shall mean a person, partnership, corporation or other legal entity, authorized by contract with the Town of Lancaster to collect municipal solid waste.

BRUSH AND TREE PARTS - shall mean cuttings from shrubs, hedges and trees which are less than four (4) inches in diameter, tied and bundled not more than four (4) feet in length and one (1) foot in diameter. Single tree parts must not be over 4 feet in length, and not exceed six (6) inches in diameter.

BULKIES/WHITE GOODS - shall mean large items such as sofas, chairs, tables, mattresses, box springs, furniture, all major appliances such as refrigerators, stoves, dishwashers, washers, dryers and the like.

COMMERCIAL PROPERTY - shall mean all properties used for industrial or commercial purposes including but not limited to retail and wholesale establishments, trailer courts, offices, garages, gas stations, manufacturing, and repair establishments, banks, motels, restaurants and other similar and related facilities.

FACILITY - shall mean any solid waste management-resource recovery facility employed beyond the initial solid waste collection process which is to be used, occupied or employed for or is incidental to the receiving, transporting, storage, or processing or disposal of solid waste or the recovery by any means of any material or energy product or resource therefrom, including recycling centers, transfer stations, processing systems, resource recovery facilities, sanitary landfills, plants and facilities for composting or land spreading of solid wastes, secure land burial facilities, reprocessing and recycling facilities, surface impoundments and waste oil storage, incinerators and other solid waste disposal, reduction or conversion facilities.

HAZARDOUS WASTE - shall mean solid waste that is especially harmful or potentially harmful to public health. This shall include, but not be limited to, explosives, toxic materials, and medical waste. For purposes of this ordinance, hazardous waste does not include small quantities of such waste available on a retail basis to a homeowner (e.g. aerosol cans, pesticides, fertilizers, etc.).

INSTITUTIONAL PROPERTY - shall mean an organization or establishment which owns or occupies property and is devoted to the promotion of a particular object or cause including schools, nursing homes and retirement homes, health facilities, governmental facilities, libraries, fire halls, etc.

LICENSED PRIVATE COLLECTOR - shall mean a person, partnership, corporation or other legal entity, licensed by the Town of Lancaster, which collects municipal solid waste pursuant to contract with owners and/or occupants.

MUNICIPAL SOLID WASTE (MSW) - shall mean all putrescible and non-putrescible materials including garbage, refuse, and other discarded solid materials, including, but not limited to, solid waste materials resulting from residential, commercial and industrial, and from public activities. (Liquids, semi-solids, and contained gaseous materials are hereby defined as solid waste.) It shall not include solids or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluent, dissolved materials in irrigation return flows, other common water pollutants. In addition, it shall not include hazardous waste.

25X1

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OCCUPANT - shall mean the person having a right and possession of the property being referred to.

OWNER - shall mean the titled owner of the property being referred to.

RECYCLABLE CONTAINERS - shall mean those containers issued by the Town of Lancaster in which recyclable materials must be placed for collection.

RECYCLABLE MATERIALS - shall mean those materials specified by the municipality for separate collection in accordance with recycling regulations. Such materials may include, but are not limited to:

Aluminum - aluminum products and containers fabricated primarily of aluminum and commonly used for soda, beer, beverages or other food or drink.

Metal Cans - containers fabricated primarily of steel or tin or bi-metal cans of steel, tin and/or aluminum, other than aluminum cans.

Glass Food and Beverage Containers - new and used glass food and beverage containers which have been rinsed and are free of food contamination, including clear (flint), green and brown (amber) colored glass bottles and jars. Glass shall not include ceramics, plate glass, auto glass, pyrex, leaded glass, mirrored glass or flat glass.

Plastic Food and Beverage Containers - includes high-density polyethylene (HDPE) and polyethylene terephthalate (PET) designated respectively as #2 and #1 on the recycling code located on the containers.

Newsprint - common, inexpensive machine-finished paper made chiefly from wood pulp and used for newspapers.

Corrugated - wood pulp-based material which is usually smooth on both sides with corrugated center. Commonly used for boxes; excludes material with a wax coating.

High-grade Paper - white and colored office bond, duplicating paper, computer paper and other high-quality paper.

Magazines - magazines, glossy catalogs and other glossy paper.

Large Appliances - stoves, refrigerators, dishwashers, dryers, washing machines, water heaters, and other large appliances and scrap metal but excluding air conditioners, microwaves, and televisions. The above materials will be reviewed quarterly and will be modified as the need arises by the Town Engineer or other designated person.

RECYCLING - shall mean the source separation, collection, processing, recovery, and sale or reuse of recyclable material.

REFUSE DISTRICT - shall mean the area of the Village of Lancaster and the Town of Lancaster, and excluding the Village of Depew, which was established by resolution dated November 7, 1988.

RESIDENTIAL PROPERTY - means properties within the Refuse District used as dwellings, including, but not limited to single and double

32x1

family dwellings, apartments and other multi-family dwellings.

SOLID WASTE MANAGEMENT - shall mean the purposeful and systematic control of the storage, collection, transportation, processing, and disposal of solid waste.

SOURCE SEPARATION - shall mean to separate the recyclable materials from the MSW stream at the point of waste generation.

TOWN - shall mean the Town of Lancaster.

TOWN BOARD - shall mean the Town Board of the Town of Lancaster.

YARD WASTE - shall mean organic yard and garden waste, leaves, grass clippings and brush.

33.4

Duty of Owners and/or Occupants of Residential, Commercial and Industrial Property Located Within the Refuse District Regarding Solid Waste Management.

- A. No person shall permit any MSW to accumulate for a period of longer than seven (7) days upon any residential, commercial and/or institutional property owned or occupied by said person within the Refuse District.
- B. Every owner and/or occupant of residential, commercial and/or institutional property within the Refuse District shall keep all MSW in suitable container inside a building located on said property, or in a suitable, completely enclosed structure outside a building, which has been constructed for that purpose, and which complies with the building codes of the municipality.
- C. Every owner and/or occupant of residential, commercial and/or institutional property within the Refuse District shall keep all buildings located on such property free and clear of all MSW and shall keep all sidewalks and yard areas free and clear of all MSW, which is not otherwise stored in suitable containers.
- D. Every owner and/or occupant of any residential, commercial or institutional property located within the Refuse District, shall, prior to initial collection, source separate any and all recyclable materials from all other MSW.
- E. Every owner and/or occupant of any residential property located within the Refuse District shall use the recyclable container or containers issued to it by the Town to contain any recyclable materials prior to collection, and shall prepare the recyclable materials to the specifications of the authorized collector or licensed private collector as the case may be.
- F. Every owner and/or occupant of any residential, commercial and/or institutional property located within the Refuse District shall put out for collection only that MSW and recyclable material generated from the use or occupancy of his property.
- G. When the authorized collector or any private collector licensed by the municipality refuses to collect MSW as provided for in

Section 33.5.E. hereinafter set forth, such owner and/or occupant shall immediately remove all such materials from any curb, sidewalk or street side.

All municipal solid waste accumulated on commercial and institutional properties shall be collected, conveyed and disposed of by authorized collectors under contract with, or licensed by, the Town of Lancaster. In such a case where a commercial or institutional establishment contracts directly with a collector, the fee or payment shall be a matter of private agreement between the owners or occupiers and the collector. When approved by the municipality, owners of non-residential properties may collect, convey and dispose of privately generated municipal solid waste by their own containers and/or trucks, providing they comply with the provisions of this Ordinance applicable thereto and New York State Department of Environmental Conservation regulations.

It shall be unlawful for any person to collect and dispose of any municipal solid waste within the Town of Lancaster except as provided in this ordinance.

33.5 Duty of Authorized Collector and Licensed Private Collectors.

- A. The Authorized Collector, pursuant to its contract with the Town, and private collectors licensed by the Town, pursuant to contracts with owners and/or occupants of commercial and/or institutional property within the Refuse District shall collect, pick up, remove or cause to be collected, picked up and removed, any MSW, recyclable materials, brush and yard waste (placed in suitable containers) for collection.
- B. It shall be unlawful for any other person to collect and dispose of any MSW and recyclable materials within the Refuse District; provided, however, nothing herein shall prevent any owner and/or occupant from making arrangements for the private collection, sale or donation of recyclable materials prior to placement for collection; and provided further, however, that nothing herein shall prevent any owner and/or occupant from using yard waste for compost, mulch or other agricultural, horticultural, gardening or landscaping purposes.
- C. The Authorized Collector and each private collector licensed by the Town shall keep all recyclable materials separate and apart from MSW, and shall use every good faith effort to move all recyclable materials into recycling markets.
- D. Bulkies and white goods shall be collected by the Authorized Collector and each private collector licensed by the Town on days to be determined by the Town.
- E. The Authorized Collector and each private collector licensed by the Town shall refuse to collect MSW from any owner and/or occupant who has clearly failed to source separate recyclable materials and/or has not properly prepared the recyclable materials to the specifications of the authorized collector or private collector licensed by the Town, as the case may be.

The Authorized Collector and each private collector licensed by the Town shall provide a full explanation to the owner and/or occupant for the refusal of collection.

- F. The Authorized Collector and each Private Collector licensed by the Town shall maintain separate monthly records of MSW and recyclable materials collected, transported and disposed of which shall include the following information:

1. the quantity by ton, of MSW and of each type of recyclable materials collected;

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2. the quantity by ton, of recycled materials delivered to a recycling facility(ies) and the location of the recycling facility (ies).
 3. the quantity by ton, of MSW delivered to each facility (ies).
 4. the quantity by ton, of all recyclable material marketed (all types of recyclable material), and the payments received therefor.
 5. the name and location of the markets to which the recyclable materials were delivered.
- G. Reports containing the information required as stated above shall be compiled and delivered to Lancaster Town Board on a quarterly basis.

33.6. Licensing.

- A. Each private collector must obtain a solid waste collection license from the Town. All licenses shall be issued for the calendar year.
A full year's fee shall be imposed on any solid waste collection license issued to a private collector during the months of January through June of each calendar year. One-half year's fee shall be imposed on any such license issued during the months of July through December of each year.
- B. A fee schedule shall be set by the Town Board and shall be based upon the number of trucks of the private collector regularly operating within the Refuse District.
- C. Applications for license and permit shall be upon forms provided by the Town and submitted to the Clerk of the Town. The Clerk of the Town shall issue the license upon proper application being made therefor, and after authorization to issue the license is given by the Town Board.
- D. The Clerk of the Town is also hereby empowered to issue a temporary permit(s) to any licensed private collector upon proper application being made therefor, to use such additional trucks as are necessary for a period not to exceed thirty (30) consecutive days for a fee, per truck, to be determined by the Town Board.
- E. Each private collector licensed by the Town shall comply with all applicable provisions of this Local Law, and all resolutions enacted by the Town Board pertaining hereto.
- F. Each private collector to be licensed must have a public liability insurance policy, naming the Town as an additional insured for personal injuries in the amount of \$1,000,000.00 per person and shall file with the Town Clerk a Certificate of Insurance for that amount prior to the issuance of a license to the private collector.
- G. Every license issued by the Town Clerk, pursuant to this Chapter, shall be subject to the following conditions:
 1. each vehicle used by the licensed private collector in the collection and transportation of MSW and recyclable materials in the Refuse District shall be neat and clean and in good repair.

32x1

- 1- All trucks must have a minimum liability insurance policy for personal injuries in the amount of one hundred thousand dollars (\$100,000.00) per person and three hundred thousand dollars (\$300,000.00) per accident and fifty thousand dollars (\$50,000.00) coverage for property damage. Insurance certificates are to be supplied to the Town by the private collector.
- 1- No owner, collector or employee of a private contractor shall be under the influence of alcohol or other drugs or use insolent or improper language during pickup or when receiving complaints over the telephone.
- H. The Town Board may refuse a license to any person who, in its judgment, shall be an undesirable person or incapable of properly conducting the operations of a private collector.
- I. Violation of any of the foregoing provisions or any other provision of this local law shall be cause for revocation of the license of any private collector holding a license hereunder. The Town Board shall have power to revoke any such license for cause shown after a hearing on ten (10) days' written notice to the license holder, specifying the nature of the violation.

33.7

Unlawful Activities & Penalties.

It shall be unlawful for:

- (1) any person, other than the authorized collector and each licensed private collector, to collect any MSW and recyclable materials generated within the Refuse District which has been placed for collection pursuant to this local law.

The unlawful conduct set forth in Item 33.7 (1) shall constitute a violation, and shall be punishable, upon conviction thereof, of a fine of Five Hundred Dollars (\$500.00) for the first offense; a fine of One Thousand Dollars (\$1,000.00) for the second offense; and a fine of Two Thousand Five Hundred Dollars (\$2,500.00) for the third and each subsequent offense.

- (2) any owner and/or occupant to fail to comply with any provision contained in Section 33.4, Subsections A through G, inclusive.

- (4) the unlawful conduct set forth in Item 33.7(2) shall be punishable as follows:

- a. For a first offense of any such provisions, the owner and/or occupant shall be given a notice by the authorized collector or licensed private collector, as the case may be, advising such person in detail of the failure to comply with the specific provision(s), with copy to Code Enforcement Officer, with a copy to the Code Enforcement Officer.

- b. For a second offense, the owner and/or occupant shall be given a notice by the Code Enforcement Officer advising such person in detail of the failure to comply with the specific provision(s).

- c. For a third offense, the authorized collector or licensed private collector shall terminate collection service to such person, with a copy of such termination to the Code Enforcement Officer.

Such third and each subsequent offense of any provision, shall constitute a violation punishable by a fine of at least One Hundred Dollars (\$100.00), but not to exceed

32x1

Five Hundred Dollars (\$500.00).

- d. No court proceedings shall be commenced against any person who violates the provision of subdivision (3) hereinabove set forth for any violation occurring before January 1, 1993, in order to permit persons to come into compliance with this local law..

33.8 Code Enforcement Officer.

The Code Enforcement Officer shall be the Building Inspector and/or the Assistant Building Inspector of the Town.

33.9 Rules & Regulations.

The Town Board is hereby empowered to enact by resolution, such Rules and Regulations which in its judgment, will carry out the intent and purpose of this local law.

33.10 Severability.

If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof involved in the controversy in which such judgment shall have been rendered.

33.11. When Effective.

This Local Law shall take effect September 1, 1992.

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NOW, THEREFORE, BE IT

RESOLVED, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster, a Public Hearing on the proposed Local Law No. 3 of the Year 1992, also known as Chapter 33 of the Code of the Town of Lancaster, entitled "Mandatory Recycling", will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, at 8:15 o'clock P.M., Local Time, on the 3rd day of August, 1992, and that Notice of the time and place of such Hearing be published on July 23, 1992, in the Lancaster Bee, being a newspaper of general circulation in said Town and posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof, and

BE IT FURTHER

RESOLVED, that the Town Clerk is directed to make copies of the proposed Local Law No. 3 of the Year 1992, for inspection by and distribution to any person during business hours.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

July 20, 1992

32X1

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 20th day of July, 1992, the said Town Board will hold a Public Hearing on the 3rd day of August, 1992, at 8:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the proposed enactment of Local Law No. 3 of the Year 1992, also known as Chapter 33 of the Code of the Town of Lancaster, entitled "Mandatory Recycling", briefly described as follows:

"A Local Law to cause the reduction, reuse and recycling of solid waste in Village of Lancaster and the Town of Lancaster, (excluding Village of Depew) in accordance with New York State's Solid Waste Management Act of 1988."

A complete copy of proposed Local Law No. 3 of the Year 1992, entitled "Mandatory Recycling" is available at the office of the Town Clerk for inspection by and distribution to any person during business hours.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

By: ROBERT P. THILL
Town Clerk

July 20, 1992

32x1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
POKORSKI , TO WIT:

WHEREAS, The Crossings Development Co., 5653 Broadway, Lancaster, New York 14086 has applied to the Town Board of the Town of Lancaster for permits to construct Public Improvements upon real property in the Town of Lancaster within The Crossings Subdivision, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit applications that he has reviewed the improvement plans and permit applications for the installation of the public improvements requested, and that they conform to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application Nos. 293, 294, 295 and 296 of The Crossings Development Co., 5653 Broadway, Lancaster, New York, for the installation of:

P.I.P. No. 293 - 1550 l.f. of 8" PVC water main pipe and appurtenances; 3 ea. hydrant assemblies; 3 ea. 8" gate valves; 1 ea. 2" blow-off assembly; 1 ea. 8 x 8 tapping sleeve and valve.

P.I.P. No. 294 - 530 l.f. of 24" RCP; 28 l.f. of 15" RCP; 197 l.f. of 12" RCP; 759 l.f. of 12" HDPE; 158 l.f. of 15" HDPE; 165 l.f. of 18" HDPE; 4 ea. manholes; 13 ea. catch basins; 18 ea. backyard receivers; 1450 l.f. of 6" PVC.

P.I.P. No. 295 - 1530 l.f. of 28" wide asphalt concrete pavement (Pavement & Curbs) with upright curb.

P.I.P. No. 296 - 1 ea. detention pond (Detention Pond)

be and are hereby approved and the installation of the improvements requested be and are hereby authorized, subject to the following condition:

No Building Permits shall be issued until Performance Security as authorized in Chapter 11-6 of the Code of the Town of Lancaster is provided -- or -- until approval of all Public Improvements, including lighting and sidewalks, by the Town Engineer and Town Board, and sewer by Erie County Sewer District No. 4, and conveyance of Warranty Deed with adequate title insurance and bill of sale of improvements rights-of-way, and easement, and delivery of two (2) year maintenance bonds from date of acceptance in the principal sum of 25% of the total cost of the improvement.

32x1

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN PORORSKI	VOTED	YES
COUNCILMAN VAN NORTWICK	VOTED	YES
SUPERVISOR GRECO	VOTED	YES

July 20, 1992

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Lancaster Volunteer Ambulance Corps, by letter dated
July 15, 1992, has requested the addition of members to the membership of said
corps,

NOW, THEREFORE, BE IT

RESOLVED, that the following additions be made to the membership
roster of the Lancaster Volunteer Ambulance Corps:

ADDITIONS

Kenneth Cady
40 Erie Street
Lancaster, New York 14086

Paul Guagliardi
32 Marrano Drive
Depew, New York 14043

Scott M. Kuhlmei
23 E. Drullard Avenue
Lancaster, New York 14086

Kathi J. Partridge
613 So. Ogden Street
Buffalo, New York 14026

Michael A. Schuler
49 Pleasant View Drive
Lancaster, New York 14086

Keith D. Sherwood
74 Wellington Drive
E. Amherst, New York 14051

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

July 20, 1992

File: R.LVAC

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the
public interest to amend Chapter 50, Zoning, Section 17 (C) (2) Swimming
Pools and Ponds, by deleting therefrom the following:

50-17.

C.

2. ".....through the gate having a minimum height
of five (5) feet and a maximum"

and enacting in place thereof, the following

50-17.

C.

2. "..... through the gate having a minimum height
of four (4) feet and a maximum"

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State
of New York, a public hearing on the proposed amendment to Section 50-17
(C)(2) of Chapter 50, Zoning of the Code of the said Town, shall be held at
the Town Hall, 21 Central Avenue, Lancaster, New York, at 8:30 o'clock P.M.,
Local Time, on the 3rd day of August, 1992, and that Notice of the time and
place of such hearing shall be published in the Lancaster Bee, the Official
Newspaper, being a newspaper of general circulation in said Town, and be
posted on the Town Bulletin Board, which Notice shall be in the form attached
hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

July 20, 1992

32x1

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 20th day of July, 1992, the said Town Board will hold a public Hearing on the 3rd day of August, 1992 at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York to hear all interested persons upon proposed amendment to Chapter 50, "Zoning", Section 17 (C), Swimming Pools and Ponds, of the Code of the Town of Lancaster as follows:

CHAPTER 50, ZONING

Chapter 50, Zoning, Chapter 17 (C) (2) Swimming Pools and Ponds of the Code of the Town of Lancaster shall be amended by deleting therefrom the following:

- 50-17.
C.
2. ".....through the gate having a minimum height of five (5) feet and a maximum"

and enacting in place thereof, the following:

- 50-17.
C.
2. ".....through the gate having a minimum height of four (4) feet and a maximum"

Full opportunity to be heard will be given to any all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

July 20, 1992

32x1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
POKORSKI, TO WIT:

WHEREAS, DONED DEVELOPERS, INC./JOSELA ENTERPRISES, INC. the owners
of a parcel of land on the north side of Walden Avenue, east of Seneca Place
in the Town of Lancaster, have petitioned the Town Board of the Town of
Lancaster for the rezoning of said property from an RCO/R1 - Residential-
Commercial-Office and Residential Districts, to an R2-Residential Two
District, and

WHEREAS, the petition has been referred to the Planning Board of the
Town of Lancaster for its recommendation and report

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That pursuant to Sections 130 and 265 of the Town Law of the
State of New York, a Public Hearing on the proposed rezoning will be held at the
Town Hall, 21 Central Avenue, Lancaster, New York, on the 3rd day of August,
1992 at 8:45 o'clock P.M., Local Time, and that Notice of the time and place
of such hearing be published in the Lancaster Bee, a newspaper of general
circulation in said Town, and be posted on the Town Bulletin Board, and that a
Notice of such Hearing be referred to the Erie County Department of Planning,
pursuant to §239(m) of the General Municipal Law, and which Notice shall be
in form attached hereto and made a part hereof, and

2. That the Building Inspector be and is hereby directed to post a
sign identifying property as the subject of a rezoning, and furnish the Town
Clerk with a written statement as to date posted.

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

July 20, 1992

32X1

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 20th day of July, 1992, the said Town Board will hold a Public Hearing on the 3rd day of August, 1992, at 8:45 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property, from an RCO/R1 - Residential-Commercial-Office District and Residential District One to an R2-Residential Two District:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie, and State of New York, and being part of Lots 9 and 11, Section 8, Township 11, Range 6 of the Holland Land Survey (so-called) bounded and described as follows:

BEGINNING at the point of intersection of the easterly line of Lot 11 with the northerly highway boundary of Walden Avenue (Walden Avenue being 99.0 feet wide).

THENCE S-78°-08'-04"-W along the northerly highway boundary of Walden Avenue a distance of 176.32 feet to the southwesterly corner of the lands conveyed to Donato Developers, Inc. recorded in Liber 10021 of Deeds at page 379.

THENCE the following courses and distances along the bounds of the said Donato Developers, Inc.

- 1.) N-00°-15'-58"-E a distance of 152.0 feet.
- 2.) N-89°-44'-02"-W a distance of 149.65 feet
- 3.) N-00°-15'-58"-E, parallel with the easterly line of Lot 11, a distance of 2,439.57 feet to the northerly line of Lot 11.

THENCE S-88°-04'-31"-E along the northerly line of Lot 11 a distance of 322.17 feet to the northeasterly corner thereof.

THENCE S-87°-34'-00"-E along the northerly line of Lot 9 a distance of 330.66 feet.

THENCE S-00°-15'-58"-W, parallel with the westerly line of Lot 9, a distance of 2,461.65 feet to the northerly highway boundary of Walden Avenue.

THENCE S-78°-08'-04"-W along the northerly highway boundary of Walden Avenue a distance of 337.97 feet to the point of beginning containing 37.519 acres be the same more or less.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

Dated: July 20, 1992

25 X

32 X

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
VAN NORTWICK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 2741 to Claim No. 2981 Inclusive.

Total Amount hereby authorized to be paid:

\$626,801.73

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN FOKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

July 20, 1992

File: R.CLAIMS

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN VAN NORTWICK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GRECO , TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

(T) = Tree Planting Fee tendered to the Town of Lancaster pursuant to the provisions of Chapter 30-26 of the Code of the Town of Lancaster.

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster.

(CSW) = Conditional sidewalk waiver.

LP.	CODE	NAME	ADDRESS	STRUCTURE
463		Lawrence Guidi	11 Fieldstone La	ER. SHED
464		Dennis Kwiatkowski	5230 William St	ER. SHED
465		Mark Mann	14 Greenmeadow Dr	ER. DECK
466		Dan E. Feller	18 Heritage Dr	ER. DECK
467		Barbara Piekarski	4690 Walden Ave	EXT. SIN. DWLG
468 (T)		Cameo Homes Bldrs.	29 Hillside Pkwy	ER. SIN. DWLG
469		Michael Maher	68 Pleasant View Dr	ER. SUN ROOM
470		Gerald Smith	16 Hidden Tr	ER. DECK
471		Ralph Mitzel	538 Pavement Rd	ER. GRAIN BIN
472		Beauty Pools	9 Lake Forest Pkwy W	ER. POOL
473 (T)(CSW)		Logan Homes Inc.	515 Pleasant View Dr	ER. SIN. DWLG
474 (T)		Forbes Homes	70 Southpoint Dr	ER. SIN. DWLG
475		Thomas Garland	5679 Broadway	ER. FENCE
476 (T)		Centennial Homes Inc.	39 Hillside Pkwy	ER. SIN. DWLG 9/24/21
477		Donald Cornell	265 Schwartz Rd	ER. FENCE
478		James Wojtaszek	113 Brunck Rd	ER. FENCE
479		LPRC Unlimited, Inc.	338 Harris Hill Rd	REMOD. OFF. BLDG
480		William Anstett	726 Ransom Rd	ER. GARAGE
481		F&G Brothers Const.	9 Main St	ER. GARAGE
482		Robert Kronenwetter	10 Greenbriar Dr	ER. FENCE
483		Advanced Tree Service	5859 Broadway	DEM. POLE BARN
484		Daniel Brown	33 Hillside Pkwy	ER. FENCE
485		Marrano Devel. Corp.	4758 William St, Bldg (#15) 62, 64, 66, 68, 70, 72 Northwood Dr)	ER. TOWN HOUSES
486		Jay Ortman	5340 Genesee St	ER. POLE BARN
487		Scott Phillipe	145 Brunck Rd	DEM. GARAGE, ER. GARAGE, EXT. SIN. DWLG

488	Uniland Devel. Corp.	8615 Wehrle Dr	ALT. TRAILER
489	M/M Bauman	4 North Brook Ct	ER. FENCE
490 (T)(SW)	Larry Ditzel	559 Erie St	ER. SIN. DWLG
491	Donald Wegst	48 Deerpath Dr	EXT. PORCH
492 (T)	Town Edge Devel. Group	5859 Broadway	ER. FOUR TOWN HOUSES
493 (T)	Stratford Homes, Inc.	72 Williamsburg La	ER. SIN. DWLG
494 (T)	Forbes Homes, Inc	86 Southpoint Dr	ER. SIN. DWLG
495 (T)	Marrano/Marc Equity	43 Spruceland Terr	ER. SIN. DWLG
496 (T)	M.J.Ogiony Bldrs	1283 Penora St	ER. SIN. DWLG

and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded the Ordinance required for sidewalks, however, the waiver is granted upon the condition that the Town of Lancaster, at any future date, has the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

July 20, 1992

File: R.BLDG (P1-2)

32x1

Supervisor Greco requested a suspension of the necessary rule for immediate consideration of the following resolution.

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GRECO, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
POKORSKI, TO WIT:

WHEREAS, members of the Town Board of the Town of Lancaster presently receive Town Board agendas with accompanying resolutions at approximately 7:00 P.M. the night of Town Board meetings, and

WHEREAS, the sponsor of this resolution desires an earlier receipt of the Town Board agendas and resolutions, namely receipt on the Friday evening prior to a Town Board meeting,

NOW, THEREFORE, BE IT

RESOLVED, that Rule 7 of the Rules of Order of the Lancaster Town Board, entitled "Time for Presentation to the Clerk", adopted by Town Board resolution on January 1, 1992, be amended by deleting therefrom the present Rule 7 in its entirety and substituting and enacting therefor the following new Rule 7:

"RULE 7 TIME FOR PRESENTATION TO THE CLERK

All resolutions and communications of whatever nature shall be submitted to the Town Clerk before 12:00 o'clock noon on the Friday preceding a Town Board meeting for presentation by the Town Clerk at the next Town Board meeting.

The resolutions, communications, and as far as practical, a fully prepared agenda shall be transmitted by the Town Clerk through the cooperation of the Lancaster Police Department to the Town Board members on the Friday evening preceding the next Town Board meeting."

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN GIZA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN POKORSKI	VOTED YES
COUNCILMAN VAN NORTWICK	VOTED YES
SUPERVISOR GRECO	VOTED YES

July 20, 1992

File: R.BLANK

25 X

32 X

STATUS REPORT ON UNFINISHED BUSINESS:

1. Detention Basin - Milton Drive
on September 3, 1991, the Town Board authorized the Supervisor to enter into an agreement with the Village of Lancaster for this remedial work. On October 7, 1991, the Town Board adopted a \$300,000.00 bond resolution to fund this project.
2. Dumping Permit - Anthony & Carol Batog - 540 Ransom Road
On July 20, 1992, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.
3. Dumping Permit - Diamond "D" Construction, Corp.
On May 2, 1991, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.
4. Dumping Permit - L.P.R.C. Unlimited, Inc. - 455 Harris Hill Rd. - (3.64 Acres).
On April 6, 1991, the matter was referred to the Town Engineer and Building Inspector for review and recommendation.

5. Public Improvement Permit Authorization - The Crossings Subdivision, (Giallanza)

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
Water Line	Yes	No	No	n/a	No
Pavement and Curbs	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

6. Public Improvement Permit Authorization - Deer Cross Subdivision, Phase I (Donato) Outstanding Items Only.

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

7. Public Improvement Permit Authorization - Deer Cross Subdivision, Phase II (Donato)

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
Water Line	Yes	No	No	n/a	Yes
Pavement and Curbs	Yes	No	No	Yes	Yes
Storm Sewers	Yes	No	No	n/a	Yes
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

8. Public Improvement Permit Authorization - Forestream Village Subdivision, Phase I (DiLapo) Outstanding Items Only:

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
Floodway Grading	Yes	No	No	No	n/a
Street Lights	Yes	No	No	n/a	No

25 X

32 X

STATUS REPORT ON IMPROVED BUSINESS (CONT'D)9. Public Improvement Permit Authorization - Forestview Village Subdivision.
Phase II (Dillon) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Floodway (S. Br.)	Yes	No	No	No	n/a
Street Lights	Yes	No	No	n/a	No

10. Public Improvement Permit Authorization - Forestview Village Subdivision.
Phase III (Dillon) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Street Lights	Yes	No	No	n/a	Yes
Sidewalks	No	n/a	n/a	n/a	n/a

11. Public Improvement Permit Authorization - Grafton Park Subdivision
(Donato Developments)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	No
Pavement and Curb	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

12. Public Improvement Permit Authorization - Hidden Hollow Subdivision.
(Paul M. Dombrowski)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Pavement and Curb	Yes	Yes	Yes	No	Yes
Sidewalks	No	n/a	n/a	n/a	n/a

13. Public Improvement Permit Authorization - Hillview Estates Subdivision
Phase I (Hillview Development)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes	Yes	n/a	NB-2-
Pavement and Curb	Yes	Yes	Yes	NB-1-	NB-2-
Storm Sewers	Yes	Yes	Yes	n/a	NB-2-
Detention Basin	Yes	No	No	No	NB-2-
Street Lights	Yes	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

NB-1- Filed but not yet returned.

NB-2- Town Attorney has Bill of Sale.

14. Public Improvement Permit Authorization - Hillview Estates Subdivision
Phase II (Hillview Development)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	No
Pavement and Curb	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	No	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

32X1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)15. Public Improvement Permit Authorization - Indian Pine Village Subdivision Phase I (Fischione Const., Inc.) Outstanding Items Only:

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
Detention Basin	Yes	No	No	No	n/a
Street Lights	Yes	No	No	n/a	No

16. Public Improvement Permit Authorization - Indian Pine Village Subdivision Phase II (Fischione Construction)

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
Water Line	Yes	No	No	n/a	No
Pavement and Curbs	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

17. Public Improvement Permit Authorization - Lake Forest Subdivision, Phase I (Dana Warman) Outstanding Items Only:

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
Detention Basin	Yes	No	No	No	n/a

18. Public Improvement Permit Authorization - Larkspur Acres Subdivision, (Andrusz & Schmid Dev.) Outstanding Items Only:

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
Pavement and Curbs	Yes	Yes	Yes	***	Yes
Detention Basin	Yes	No	No	No	n/a

*** Deed received but not yet filed.

19. Public Improvement Permit Authorization - Liberty Square Subdivision (Dana Warman) Outstanding Items Only:

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
Detention Basin	Yes	No	No	No	n/a

20. Public Improvement Permit Authorization - Meadowlands Subdivision (Bosse) Outstanding Items Only:

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
Detention Basin	Yes	No	No	No	n/a
Street Lights	Yes	Yes	Yes	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

21. Public Improvement Permit Authorization - Pine Tree Farm, Phase I (Josela - East off Aurora Street) Outstanding Items Only:

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
Pavement and Curbs	Yes	Yes	Yes	***	Yes
Detention Basin	Yes	No	No	No	n/a

*** Deed received but not yet recorded.

25X1

32X1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)**22. Public Improvement Permit Authorization - Pine Tree Farm, Phase II
(Josela - East off Aurora Street) Outstanding Items Only:**

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
Pavement and Curbs	Yes	Yes	Yes	No	Yes

**23. Public Improvement Permit Authorization - Southpoint Subdivision, Phase I
(Josela) Outstanding Items Only:**

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
E. Detention Pond	Yes	No	No	No	n/a
W. Detention Pond	Yes	No	No	No	n/a

**24. Public Improvement Permit Authorization - Stony Brook, Phase I
(Marrano) Outstanding Items Only:**

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
Pavement & Curbs	Yes	Yes	Yes	***	Yes
Detention Area 1	Yes	No	No	No	n/a
Detention Area 2	Yes	No	No	No	n/a

*** Deed received but not yet Filed.

**25. Public Improvement Permit Authorization - Stony Brook, Phase II
(Marrano) Outstanding Items Only:**

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
Detention Area	Yes	No	No	No	n/a
Street Lights	Yes	Yes	Yes	n/a	Yes

**26. Public Improvement Permit Authorization - Stony Brook, Phase III (A)
(Marrano)**

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
Detention Pond	Yes	No	No	No	n/a
Water Line	Yes	Yes	Yes	n/a	No
Pavement and Curbs	Yes	Yes	Yes	No	No
Storm Sewers	Yes	Yes	Yes	n/a	No
Street Lights	Yes	No	No	n/a	No
Sidewalks	Yes	n/a	n/a	n/a	n/a

**27. Public Improvement Permit Authorization - Warnerview Estates, Phase I
(Donato) Outstanding Items Only:**

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
Detention Basin	Yes	No	No	No	n/a

**28. Public Improvement Permit Authorization - Warnerview Estates, Phase II
(Donato)**

TYPE	ISSUED	ACCEPTED	BONDED	DEEDS	BILLS OF SALE
Water Line	Yes	Yes	Yes	n/a	No
Pavement and Curbs	Yes	Yes	Yes	Yes	No
Storm Sewers	Yes	Yes	Yes	n/a	No
Detention Basin	n/a	n/a	n/a	n/a	n/a
Street Lights	Yes	No	No	n/a	No
Sidewalks	Yes	n/a	n/a	n/a	n/a

32X1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)**29. Public Improvement Permit Authorization - Willow Ridge Subdivision
(Cimato Bros.) Outstanding Items Only:**

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a

**30. Public Improvement Permit Authorization - Windsor Ridge Subdivision,
Phase I (M. J. Peterson)**

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	No
Pavement and Curbs	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

**31. Public Improvement Permit Authorization - Woodgate Subdivision,
Phase I (Josela Enterprises)**

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	No
Pavement and Curbs	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	Yes	n/a	n/a	n/a	n/a

32. Rezone Petition - Donato Developers/Josela Enterprises

On June 10, 1992, this matter was referred to the Planning Board for review and recommendation. On July 20, 1992, the Town Board set a Public Hearing on this matter for August 3, 1992.

33. Rezone Petition - Fox Valley Estates

On November 19, 1991, this matter was referred to the Planning Board for review and recommendation. On December 4, 1991 the Planning Board recommended approval of this proposed rezone. On February 24, 1992, the Municipal Review Committee adopted a Positive SEQR Declaration on this matter.

34. Rezone Petition - LPRC Unlimited, Inc.

On April 29, 1992, this matter was referred to the Planning Board for review and recommendation. On May 26, 1992, the Planning Board recommended a conditional approval of this rezone petition. On June 15, 1992, the Town Board set a Public Hearing on this matter for July 6, 1992. On July 6, 1992, the Town Board held a Public Hearing on this matter and reserved decision. On July 20, 1992, the Town Board approved this rezone petition. This item will be removed from future Town Board agendas.

35. Rezone Petition - Pine Hill Concrete Mix Corp.

On April 29, 1992, this matter was referred to the Planning Board for review and recommendation. On June 1, 1992, a Public Hearing was held on this matter. Due to a defect in the legal notice a rehearing was scheduled on this matter for June 15, 1992. On June 15, 1992, a Public Hearing was held on this matter and decision reserved. On July 20, 1992, the Town Board approved this rezone petition. This item will be removed from future Town Board agendas.

32x1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)

36. State Contract Grant - 40 Clark Street Museum.
Application for grant has been filed.

37. Subdivision Approval - Bowen Road Square (Off Bowen Road)
On August 30, 1990, the developer tendered to the Town Clerk a subdivision filing fee of \$1,135.00. On August 1, 1990, the Planning Board approved the preliminary plat for this development subject to three conditions. On January 22, 1991, the Municipal Review Committee tabled their SEQR Review decision pending receipt of additional data from the petitioner.

38. Subdivision Approval - The Crossings (Off Erie St.)
On June 5, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$590.00. On October 7, 1991, the Municipal Review Committee adopted a Negative SEQR Declaration on this matter. On December 2, 1991, the Building Inspector transmitted an application for sketch plan approval to the Planning Board for review. On June 1, 1992, the developer tendered to the Town Clerk an additional subdivision filing fee of \$355.00. On June 1, 1992, the Building Inspector distributed a Preliminary Plat Plan to the Planning Board and various reviewers. On July 6, 1992, the Town Board authorized the filing of a map cover for this subdivision.

39. Subdivision Approval - East Brook Estates (Off Bowen Road)
This matter awaits formal filing with the Town Clerk. No engineering review fee has been received.

40. Subdivision Approval - Easy Acres (Off Seibert Road)
On June 22, 1992, an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers.

41. Subdivision Approval - Fox Valley Estates (Off Peppermint Road)
On November 22, 1991, an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers.

42. Subdivision Approval - Glen Hollow (off William St.)
On January 22, 1992, an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On February 5, 1992, the Planning Board approved a sketch plan for this subdivision. On March 16, 1992, the Municipal Review Committee adopted a Negative SEQR Declaration. On April 28, 1992, the Building Inspector distributed a revised sketch plan of this subdivision to various reviewers.

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)

43. Subdivision Approval - Golfe Creek Town Homes (formerly Country Club Commons) (Townhouses - Off Broadway West of the Lancaster Country Club)
On July 9, 1990, the Municipal Review Committee adopted a Negative SEQR Declaration on this matter. On October 24, 1990, the Building Inspector transmitted an Application for Sketch Plan Approval to the Planning Board for review. On November 7, 1990, the Planning Board approved the sketch plan for this development. On November 21, 1990, the developer tendered to the Town Clerk an Application for Approval of Subdivision Preliminary Plat Plan along with a filing fee of \$1090.00. On November 28, 1990, the Planning Board approved the Preliminary Plat Plan. On February 1, 1991, the developer filed a final plat with the Building Inspector for review and distribution to the Town Board. On February 11, 1991, the Town Attorney notified the developer that the final plat was not sufficient. On June 17, 1991, the Town Board approved the final plat for this development and authorized the filing of a map cover in the Erie County Clerk's Office. On August 19, 1991, the Town Board approved a name change for this project to Golfe Creek Town Homes and authorized the filing of a map cover in the Erie County Clerk's office under that name. This item remains on the agenda until the map cover is filed.
44. Subdivision Approval - Lake Forest South (Off Lake Avenue)
On March 19, 1991, the Town Board approved the final plat for this subdivision and authorized the filing of a map cover in the Erie County Clerk's Office. This item remains on agenda until map cover is filed.
45. Subdivision Approval - Parkedge (Off William Street)
On October 18, 1989, the Planning Board approved the sketch plan for this project. On March 6, 1991, an application for preliminary plat approval was filed with the Town Clerk and referred to the Building Inspector for distribution to various reviewers. On March 6, 1991, a \$1285.00 subdivision filing fee was received by the Town Clerk. On May 6, 1991, the SEQR Municipal Review Committee adopted a negative declaration.
46. Subdivision Approval - Stony Brook, Phase IV (South Side of Pleasant View Drive)
On March 16, 1992, an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On April 1, 1992, the Planning Board approved the sketch plan.
47. Subdivision Approval - Towne Square Townhouses (Broadway east of Bowen)
This project was in the process of approval prior to adoption of the current zoning ordinance and is therefore a grandfathered project. On July 9, 1990, the Municipal Review Committee adopted a SEQR Negative Declaration on this project. On January 16, 1991, the Planning Board recommended approval of the project subject to the Town Board's resolution of three Planning Board concerns. On June 17, 1991, the Town Board approved the final plat for this development and authorized the filing of a map cover in the Erie County Clerk's office. On February 24, 1992 the Town Board re-approved the filing of a map cover. This item remains on the agenda until map cover is filed.
48. Subdivision Approval - Thruway Industrial Park (Off Gunville Rd.)
On October 4, 1989, the Planning Board approved the site plan for this subdivision. On October 13, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$415.00. On August 6, 1990, the Town Board adopted a SEQR negative declaration on this matter.
49. Subdivision Approval - Walnut Creek (Off Aurora Street)
On April 28, 1992, an application for subdivision sketch plan approval was filed with the Building Inspector and distributed to various

25X

32X

PERSONS ADDRESSING THE TOWN BOARD:

Catherine Kohli, 27 Court Street, spoke to the Town Board about preserving the core area of the Village of Lancaster and its historic buildings. She indicated a hope for acquisition of the Masonic Temple for the site of a senior citizen center.

The following persons spoke to the Town Board about the Town's policy for maintaining the island entrances to various subdivisions within the Town:

Terry McCracker, 9 Fieldstone Lane

Gloria Kubicki, 15 Maple Drive

Donna Staszniak, 47 Lombardy Street

Joseph Juszcak, 600 Pleasant View Drive

David Marrano, 25 Squirrel Run

Joseph Juszcak, 600 Pleasant View Drive, spoke to the Town Board about amending the curb cut replacement specifications of the Town of Lancaster to mandate replacement of a full curb section rather than just drilling and pinning as now authorized.

William Kornacki, 503 Pavement Road, suggested to the Town Board that a police review board be established in the Town of Lancaster.

Gloria Kubicki, 15 Maple Drive, made inquiries about a five story building proposed for the corner of Harris Hill Road and Wehrle Drive. She is concerned that the present fire fighting apparatus will not be able to reach the top height of the proposed structure.

Patricia Blackett, 12 Fourth Avenue, requested clarification from the Town Board on whether or not the proposed Senior Citizen Center at Oxford Park will accommodate the Town's Youth Bureau Departmental needs.

32X1

COMMUNICATIONS**DISPOSITION**

458. Appraiser to Town Board - Request authorization to attend assessors' training seminar at SUNY Geneseo from 8/3-5/92.	R & F
459. Highway Supt. to Town Board - Notice of rejection of bids for bulldozer.	HIGHWAY COMMITTEE TOWN ATTORNEY
460. Town of Elma to State Senate and Assembly - Transmittal of resolution re: loans for homes located in a Commercial zone.	R & F
461. Village of Lancaster Historic District Comm. to Town Board and Lancaster Village Board - Request purchase of Masonic Temple, 5497 Broadway for use as Town and/or village community center.	BUILDINGS & GROUNDS
462. Planning Board to Town Board - Minutes from meeting held 7/1/92.	R & F
463. Town Clerk to Town Board - Notice of procedural change re: notice of rezoning filings to adjoining property owners.	R & F
464. Donald Gallo, P.E. to Councilman Kwak - Request Change Order No. 1 re: Walden Pond Park Phase 2B, Contract No. 6.	R & F
465. Highway Supt. to Town Board - Notice of rejection of bids for vacuum sweeper.	HIGHWAY COMMITTEE
466. Town Clerk to Town Board - Request amendment to Sanitary Landfills and Dumping Code re: permit fee.	TOWN ATTORNEY
467. NYSDOT to Clerk of the County Legislature - Advisement re: impact statement prepared for reconstruction of Route 20 in the Villages of Depew and Lancaster.	HIGHWAY COMMITTEE
468. Police Chief to William Kornacki - Response to complaints.	R & F
469. NYSDEC to Supervisor - Response to notice re: Lead Agency Status for proposed Walnut Creek Subdivision (Aurora & William Sts.)	R & F
470. NYSDEC to Supervisor - Response to notice re: Lead Agency Status for proposed Walden Creek Subdivision (Walden Ave.)	R & F
471. NYSDEC to Supervisor - Response to notice re: Lead Agency Status for proposed Markar Mfg. and Office Bldg. (Ward Rd)	R & F
472. NYSDEC to Supervisor - Response to notice re: Lead Agency Status for proposed rezoning petition of Pine Hill Concrete Mix Corp (Walden and Pavement).	R & F
473. Rev. Gregory Dobson to Town Board - Notice of resignation as member - Youth Bureau.	SUPERVISOR
474. Niagara Frontier Builders' Assoc. to Supervisor - Letter of thanks to Town officials for assistance in making Horizon '92 Home Show a success.	R & F
475. DCO to Town Board - Request termination of Michael Wehner's appointment as Assistant DCO.	TOWN ATTORNEY SUPERVISOR

COMMUNICATIONSDISPOSITION

476. County Div. of Highways to Dr. John Sauer, 4917 William St. - Response to letter re: Como Park project completion date.	R & F
477. ECDEP to Supervisor - Results of SEQOR review re: Sewer Dist. No. 7.	R & F
478. ECDEP to Supervisor - Results of SEQOR review re: rezone petition of Pine Hill Concrete Mix. Corp.	R & F
479. ECDEP to Supervisor - Results of SEQOR review re: Markar Mfg. site plan.	R & F
480. ECDEP to Supervisor - Results of SEQOR review re: Comfort Inn site plan.	R & F
481. LVAC to Town Clerk - Notice of addition of members to roster.	R & F
482. Town Police Chief to Supervisor and Town Board - Reply to anonymous resident concerning block party on Cider Mill Court.	PUBLIC SAFETY COMMITTEE
483. Building Inspector to Town Board - Recommendation for final payment for Depew Library roof.	R & F
484. President Lancaster Rural Cemetery to Highway Superintendent - Seeks assistance in grading roads in cemetery.	HIGHWAY COMMITTEE
485. Building Inspector to Town Board - Fees for street maps.	FINANCE & MANAGEMENT COMMITTEE
486. Brian J. Baty to Town Clerk - MIC Renewal Proposal to the Town.	R & F
487. Building Inspector to Town Board - Advisement of vehicle violations.	R & F
488. NYSDEC to Supervisor - Environmental concerns for proposed sewer line in town.	R & F
489. NYSDEC to Supervisor - Environmental concerns for proposed demolition and construction of Hotel (Comfort Inn).	R & F
490. NYSDEC to Supervisor - Review for proposed English Park Village Phase III.	R & F
491. Town Police Chief to William Kornacki - Reply to Complaint of June 26, 1992.	R & F
492. Town Assessor to Joseph Juszcak - Requested information on tax exemptions for Lancaster Industrial Development Projects.	R & F
493. Town Assessor to Town Board - Grievance procedure report.	R & F
494. Amherst Town Clerk to Supervisor - Notice of Public Hearing 7/20/92.	R & F
495. President Depew-Lancaster Boys & Girls Club to Town Board - Request for additional funds.	FINANCE DIRECTOR

COMMUNICATIONS**DISPOSITION**

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| 496. BOMA to Supervisor -
Bill for hydrant replacement on Stony Road. | ENGINEER
TOWN ATTORNEY |
| 497. Larry Blair to Town Public Safety Committee
and Disaster Preparedness Team Leader -
Seeks authority to assist at Pfohl Bros Landfill | PUBLIC SAFETY
COMMITTEE |
| 498. Town Assessor to Senator Volker -
Tax burden shift caused by reduced Utility
Company assessments. | R & F |
| 499. County DEP to Supervisor -
Enclosed agreement streamlining review process. | TOWN CLERK
TOWN ATTORNEY |
| 500. County DEP to Supervisor -
SEQR Referral Review, Lead Agency Designation
Action: Proposed Rezoning and Walden Creek
Subdivision County Review #: M617-92-50. | R & F |
| 501. County DEP to Supervisor -
SEQR Referral Review, Lead Agency Designation
Action: Proposed Walnut Creek Subdivision. | R & F |
| 502. County DEP to Supervisor -
SEQR Referral Review, Lead Agency Designation
70 - Unit PRC Apartment Bldg and Retail Stores | R & F |
| 503. Town Police Chief to Town Board -
Purchase of 1992 Ford Police Car. | PUBLIC SAFETY
COMMITTEE |

Supervisor Greco requested a suspension of the necessary rule for immediate consideration of the following communications -
SUSPENSION GRANTED.

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| 504. Richard Marshall to Town Board -
Express concerns relative to LPRC Development
at Wehrle and Harris Hill Road. | PLANNING COMMITTEE
PLANNING BOARD |
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ADJOURNMENT:

ON MOTION OF COUNCILMAN GIZA, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 9:15 P.M.

Signed

Robert P. Thill

Robert P. Thill, Town Clerk